

REMARKS

I. Introduction

Claims 12 to 25 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Rejection of Claims 12 to 15, 18 to 20, 22, 24, and 25 Under 35 U.S.C. § 103(a)

Claims 12 to 15, 18 to 20, 22, 24, and 25 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent No. 4,965,833 ("McGregor et al.") and U.S. Patent No. 3,755,625 ("Maston"). It is respectfully submitted that the combination of McGregor et al. and Maston does not render unpatentable the present claims for at least the following reasons.

The proposed combination of McGregor et al. and Maston does not disclose, or even suggest, all of the features recited in claims 12 to 15, 18 to 20, 22, 24 and 25. Claim 12, for example, relates to a communications device for transmitting acoustic signals in a motor vehicle, which includes a control unit that is assigned at least one control element configured to weight signal levels of at least one transmitter device. Claim 12 has been amended herein without prejudice to recite the control unit is configured to weight signal levels of at least one transmitter device to attenuate or amplify the signal level of each transmitter device in accordance with a respective weighting factor based on the weight. Support for this amendment may be found, for example, at page 2, line 31 to page 3, line 12.

According to the present application, rather than merely activating or deactivating a transmitter device, signal levels of each transmitter device are attenuated or amplified in accordance with a respective weighting factor based on the weight. Thus, signal levels of, e.g., people speaking loudly are attenuated, and signal levels of, e.g., people speaking softly are amplified.

In stark contrast to the foregoing, neither McGregor et al. nor Maston discloses, or even suggests, a control unit that is assigned at least one control element configured to weight signal levels of at least one transmitter device **to attenuate or amplify signal level of each transmitter device in accordance with a respective weighting factor based on a weight**. The Final Office Action admits

that this feature is not suggested by McGregor et al. Neither is it disclosed or suggested by Maston. Rather, as described in the abstract of Maston, and as cited by the Final Office Action, Maston describes only a selection of one microphone with a disconnection of all others. As indicated above, claim 12, as presented, provides for a control element to weight signal levels of a transmitter device to attenuate or amplify signal levels. This arrangement may allow multiple signals to be transmitted at the same time, with each signal properly weighted based on the configuration of the control element of each transmitter device, as described in page 2, line 31 to page 3, line 12 of the Specification.

As explained above, the proposed combination of McGregor et al. and Maston does not disclose, or even suggest, all of the features of claim 12. Therefore, it is respectfully submitted that the combination of McGregor et al. and Maston does not render unpatentable claim 12.

As for claims 13 to 15, 18 to 20 and 24, which depend from claim 12, it is respectfully submitted that the combination of McGregor et al. and Maston does not render unpatentable these dependent claims for at least the reasons more fully set forth above with respect to claim 12.

Claim 22 includes features analogous to features included in claim 12. As such, it is respectfully submitted that the combination of McGregor et al. and Maston does not render unpatentable claim 22 for substantially the same reasons set forth above.

As for claim 25 which depends from claim 22, it is respectfully submitted that the combination of McGregor et al. and Maston does not render unpatentable this dependent claim for at least the reasons more fully set forth above with respect to claim 22.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Rejection of Claim 17 Under 35 U.S.C. § 103(a)

Claim 17 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of McGregor et al., Maston, and PCT International Patent Application Publication No. WO 99/049698 ("Schaaf"). It is respectfully submitted that the combination of McGregor et al., Maston, and Schaaf does not render unpatentable the present claims for at least the following reasons.

As explained above, the combination of McGregor et al. and Maston does not disclose, or even suggest, all of the features of claim 12, from which claim 17 depends. Schaaf does not cure the critical deficiencies more fully set forth above with respect to the combination of McGregor et al. and Maston. Thus, it is respectfully submitted that the combination of McGregor et al., Maston, and Schaaf does not render unpatentable claim 17, which depends from claim 12.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Rejection of Claim 16 Under 35 U.S.C. § 103(a)

Claim 16 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of McGregor et al., Maston, and U.S. Patent No. 4,449,238 (“Lee et al.”). It is respectfully submitted that the combination of McGregor et al., Maston, and Lee et al. does not render unpatentable the present claims for at least the following reasons.

As explained above, the combination of McGregor et al., and Maston does not disclose, or even suggest, all of the features of claim 12, from which claim 16 depends. Lee et al. does not cure the critical deficiencies more fully set forth above with respect to the combination of McGregor et al. and Maston. Thus, it is respectfully submitted that the combination of McGregor et al., Maston, and Lee et al. does not render unpatentable claim 16, which depends from claim 12.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

V. Rejection of Claims 21 and 23 Under 35 U.S.C. § 103(a)

Claims 21 and 23 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of McGregor et al., Maston, and Japanese Patent Publication No. 10-032898 (“Yoshioka”). It is respectfully submitted that the combination of McGregor et al., Maston, and Yoshioka does not render unpatentable the present claims for at least the following reasons.

As explained above, the combination of McGregor et al. and Maston does not disclose, or even suggest, all of the features of claim 12, from which claims 21 and 23 depend. Yoshioka does not cure the critical deficiencies more fully set forth above with respect to the combination of McGregor et al. and Maston. Thus, it

is respectfully submitted that the combination of McGregor et al., Maston, and Yoshioka does not render unpatentable claims 21 and 23, which depend from claim 12.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VI. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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